

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MARK SOKOLOW, *et al.*,

Plaintiffs,

V.

THE PALESTINE LIBERATION ORGANIZATION,
et al.,

Defendants.

Docket No.
04-cv-397 (GBD) (RLE)

**DEFENDANTS' RESPONSE TO
PLAINTIFF NEVENKA GRITZ'S MOTION TO SUBSTITUTE**

Defendants the Palestine Liberation Organization and the Palestinian Authority (collectively Defendants), by counsel, respectfully submit the following response to the Motion of Plaintiff Nevenka Gritz to substitute herself for the deceased Plaintiff Norman Gritz (DE 460). While the Defendants do not believe that the late Norman Gritz had or has any viable claims under 18 U.S.C. § 2333 or otherwise for the reasons stated; *inter alia*, in their portion of the Joint Proposed Pretrial Order and in their forthcoming Motion for Summary Judgment, and while they do not concede that 18 U.S.C. § 2333 is not a "penal" statute for some purposes, *see, e.g., Estates of Ungar v. Palestinian Auth.*, 304 F. Supp. 2d 232, 237 (D.R.I. 2004) (finding "the treble damages provision of 18 U.S.C. § 2333 overwhelmingly punitive"), Defendants will, without waiving any of those positions, not oppose the substitution at this time of Nevenka Gritz for Norman Gritz with respect to any claims Norman Gritz may have in this matter.

April 18, 2014

Respectfully Submitted,

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